

NATURAL RESOURCES DEPARTMENT[561]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 483A.24 and 456A.24, the Department of Natural Resources proposes to amend Chapter 12, “Special Nonresident Deer and Turkey Licenses,” Iowa Administrative Code.

These rules clarify the processes used to select recipients of special nonresident deer and wild turkey licenses and establish application deadlines and applicant restrictions. These amendments are proposed to improve benefits to the state under this chapter.

Any interested person may make written suggestions or comments on the proposed amendments on or before March 30, 2010. Written comments may be sent to Ross Harrison, Special Nonresident Deer and Turkey License Program Coordinator, Department of Natural Resources, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Program Coordinator at (515)281-5973 or at the Department’s offices on the fourth floor of the Wallace State Office Building.

These amendments are intended to implement Iowa Code section 483A.24.

The following amendments are proposed.

ITEM 1. Amend rule **561—12.2(483A)**, definition of “Conservation organization,” as follows:

“*Conservation organization*” means an organization that is ~~developed~~ licensed and managed pursuant to Iowa Code chapter 504, the revised Iowa nonprofit corporation Act, and whose mission emphasizes natural resource conservation or supports science-based natural resource management. A local or state chapter or division of a national or international conservation organization shall qualify as a conservation organization.

ITEM 2. Amend rule 561—12.3(483A) as follows:

561—12.3(483A) Availability of special licenses. The program shall be available to provide ~~not no~~ more than the number of special licenses allowed by Iowa Code section 483A.24 to nonresidents through requests submitted by individual hunters or through a sponsor. Sponsors may be located in the state of Iowa.

ITEM 3. Amend rule 561—12.5(483A) as follows:

561—12.5(483A) Request, review and selection process.

12.5(1) Submission of requests.

a. Individual hunters or sponsors shall submit a request, or requests, to the coordinator.

(1) A request for a deer license must be on the form provided by the department and ~~may~~ shall be submitted to the coordinator ~~at any time during the year~~ by August 15 prior to the season to be hunted.

(2) A request for a turkey license must be on the form provided by the department and shall be submitted to the coordinator at least 14 days prior to the season to be hunted.

b. Applicants will not qualify for a deer license under this rule if they were issued a deer license under this rule the previous year.

12.5(2) Review.

~~a.~~ The internal committee shall review the summaries prepared by the coordinator, rank the hunters according to criteria in rule 561—12.7(483A), and forward the rankings to the legislative committee for

consideration and final selection. The internal committee shall exercise its discretion and, in addition to the criteria in rule 561—12.7(483A), shall also consider the following:

~~b. a.~~ Requests that demonstrate little or no promotion of the state of Iowa or its natural resources, ~~as determined by the internal committee~~, shall not be included in the rankings forwarded to or considered by the legislative committee.

b. Requests from a sponsor, a sponsor-related entity, or hunter that has been found guilty of a game violation in Iowa or elsewhere within the past five years or that, in the opinion of the internal committee, has exhibited poor hunting ethics or judgment shall not be considered for a special license.

c. Review of requests shall occur at least once annually but may occur more frequently as needed based upon the number of requests and the dates by which they are received.

12.5(3) No change.

ITEM 4. Amend rule 561—12.6(483A), introductory paragraph, as follows:

561—12.6(483A) Consideration of requests. The legislative internal committee will ~~determine~~ recommend to the legislative committee which conservation organizations ~~and hunters~~ are best qualified to promote the state and its natural resources. In making ~~such a determination~~, recommendations to the legislative committee ~~will select hunters and conservation organizations based~~, the internal committee will base its recommendations on their ~~the~~ expected ability of hunters to promote the state and its natural resources and, if applicable, based on the degree of success special license holders have had in previous years or seasons in promoting the state and its natural resources. By way of illustration, the committee may consider requests from the following:

ITEM 5. Amend subrule 12.7(1) as follows:

12.7(1) The following criteria shall be used by the internal committee to rank individual hunters as identified in subrules 12.6(1), 12.6(4) and 12.6(5). The rankings shall be determined as the average of the following rating points and will be provided to the legislative committee as an aid in determining the selection of hunters.

a. ~~Ten~~ Five points if the hunter is directly affiliated with an Iowa-based outdoor industry.

b. From 0 to 10 points ~~applied to each of~~ for the following:

(1) The relative size of the hunter's potential audience.

(2) The hunter's proposal to promote the state and its natural resources.

(3) If the hunter has received a special license in the past, the value of the actual promotion of the state and its natural resources or special services provided as a result.

c. No change.

ITEM 6. Amend subrule 12.7(2) as follows:

12.7(2) A conservation organization's request shall be forwarded to the legislative committee if the conservation organization meets the definition in rule 561—12.2(483A) and approval shall be based on an evaluation of the organization's prior performance, if any, in selling the special nonresident deer license.

ITEM 7. Amend rule 561—12.8(483A) as follows:

561—12.8(483A) Services provided by recipients of special licenses. In addition to promoting the state and its natural resources, recipients of special licenses may improve the ranking they receive for future license requests by providing additional services as specified by the department. Services shall be limited to ~~services which those that~~ improve communications between the department and outdoor recreationalists and to assistance in marketing outdoor recreation and natural resource conservation.